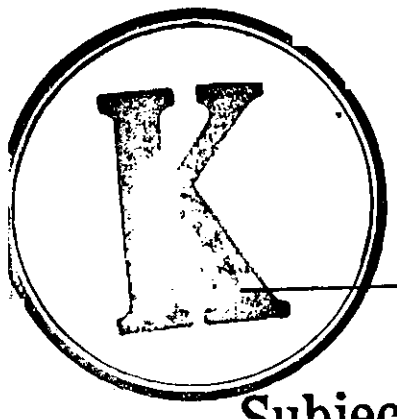
K.S.R. 1815

-IV

1941.

File No. O. Press & Regis/41



Legal DEPARTMENT

A BRANCH

Subject:—

Opinions under the Indian Press and Registration of Books Act, 1867.

P.3

File No. O. Press & Regis./41

Std. Sectt. Slip 24 B a.

41 — 7.

CONTENTS.

Legal Department File No.C.Press & Regis./1941.

S.No.	Compilation No.	Subject.	Pages.
1.	R.I.No.119-L dt.24-7-41.	Indian Press and Registration of Books Act,1867.	
	C.No.107-L. dt.29-7-41.	Secs. 3 and 5(1) whether details can be omitted from the copies of bulletin issued by the Czechoslovak Information service to be sent out under executive orders ----	1-4.

915

M.V.V. 20/4.

K.S.R. 915

P.I.No. 119-L
24-7-41.

U.O.from the H.D.(Pol) No. 1812/41 dated 24-7-41 re: scrutiny of draft notrn. under the Press and Registration of Books Act, 1867.

---

submitted.

Sd.
24-7.
S.L.

The Czechoslovak Information Service desire to send 300 copies of their news bulletin to neutral countries and they state that it is not advisable to write the name of the editor or even of the printer in these copies. It is proposed to exempt the Czechoslovak Information Service bulletin from the operation of section 3 and section 5(1) of the Press and Registration of Books Act, 1867 (XXV of 1867). Secy.H.D. thinks that Government could give executive orders that these details may be omitted from the 300 copies to be sent abroad. The P.I.A. has requested to advise.

2. Under section 3 of the Press and Registration of Books Act, 1867 (XXV of 1867), every paper printed within British India shall have printed legibly on it the name of the printer and the place of printing, and the name of the publisher and the place of publication. Under section 5(1) every copy of every newspaper published in British India shall contain the name of the person

M.V.V.
25/4.

P.T.O.

who is the editor thereof printed clearly on such copy as the name of the editor of that newspaper. Section 21 of the Act gives power to the Provincial Government to exclude any class of papers from the operation of the whole or any part or parts of the Act. However, such exclusion can only be made by means of a notification in the Official Gazette as provided in that section. The exemption cannot be given by means of executive orders. Part would include a portion of the ~~Act~~ Part or a section contained in the Part, and, therefore, it would be competent to Government under section 21 to exclude any paper from the operation of any sections contained in any Part of the Act. The draft notification put up by A.S., H.D., at page 7 as very slightly amended is in order.

Sd.
25/7

S.A.S.

M.V.V.
20/4.

Office of the D.I.A.

Section 21 of the Press and Registration of Books Act, 1867, lays down that the Provincial Government may, by a notification in the Official Gazette, exclude any class of books or papers from the operation of any part of the Act. The section does not provide for the exclusion of particular number of copies of any book or paper from the operation of any part of the Act. Consequently it will not be possible in this case to exclude only 500 copies of the Czechoslovak Information Service from the operation of sections 3 and 5 of the Act. If any person contravenes the provisions of sections 3 and 5 he is liable to prosecution under sections 18 and 15 respectively. It is of course possible for Government indirectly to achieve the object in view by issuing confidential executive orders that no prosecution should be launched if the 500 copies to be sent abroad contravene the provisions of sections 3 and 5.

I.d. P.N.M.

Memorandum of Legal Affairs.

U.O. to H.D. (Poll.), No.167-I, dated the 29th July 1941.

H.V.V.
30/8.